

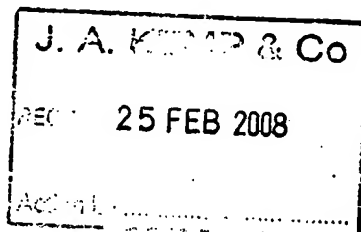
# EXHIBIT A



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Date  
20.02.08

Reference N.97076A NP	Application No./Patent No. 07023966.0 - 1526
Applicant/Proprietor St. Jude Medical, Cardiology Division, Inc.	

### Communication

The partial European search report (R. 64 EPC) is enclosed.

The applicant is informed that if the European search report is also to cover inventions other than the invention(s) already searched and for which a meaningful search can be carried out, a further search fee must be paid for each of these inventions, in the present instance

### 2 search fees

within one month after notification of this communication.

The amount payable for a search fee is EUR 1000,- (OJ EPO 2006, 495).

If applicable, a European search opinion covering those invention(s) for which a search fee has been paid will then be sent together with the European search report.

Copies of documents cited in the European search report are attached.

☒ 1 additional set(s) of copies of such documents is (are) enclosed as well.

The following have been approved:

☐ Abstract

☒ Title

☒ The Abstract was modified and the definitive text is attached to this communication.

The following figure will be published together with the abstract: 2

### Note to the users of the automatic debiting procedure

Unless the EPO receives prior instructions to the contrary, the search fee(s) will be debited on the last day of the period for payment. For earlier payment(s) another method of payment must be used. For further details see the Arrangements for the automatic debiting procedure (see Supplement to OJ EPO 10/2007).





DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
X	US 6 156 046 A (PASSAFARO JAMES D [US] ET AL) 5 December 2000 (2000-12-05) * figures 3,4,4A * * column 8, line 15 - column 11, line 65 *	1,2,4-6	INV. A61M25/00 A61M25/01 A61M25/10
Y		3	
A		7,8	
X	----- US 4 951 677 A (CROWLEY ROBERT J [US] ET AL) 28 August 1990 (1990-08-28) * figures 3,4 * * column 1, line 5 - line 7 * * column 2, line 28 - column 3, line 27 * * column 5, line 67 - column 9, line 62 *	1,2,4-6	
A		3,7,8	
X	----- WO 98/56448 A (TARGET THERAPEUTICS INC [US]; NITA HENRY [US]; JANSEN LEX P [US]; PARK) 17 December 1998 (1998-12-17) * figures 1,2A-F,4,5,7,8 * * page 1, line 10 - line 31 * * page 11, line 24 - page 20, line 21 *	1,2,4-8	
A	----- -/--	3	
			TECHNICAL FIELDS SEARCHED (IPC)
			A61M A61B
LACK OF UNITY OF INVENTION			
The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:			
see sheet B			
The present partial European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims.			
Place of search		Date of completion of the search	Examiner
Berlin		11 February 2008	Przykutta, Andreas
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

6  
EPO FORM 1503 03 82 (P04E27)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (IPC)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
Y	US 5 700 253 A (PARKER FRED T [US]) 23 December 1997 (1997-12-23) * the whole document * -----	3	
			TECHNICAL FIELDS SEARCHED (IPC)



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims: 1-8

An annealed monolayer helical coil to prevent unwinding expansion on torquing the catheter

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2. claims: 9-16

An annular gap between an outer jacket and a torque cable to minimise frictional counter-torque

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3. claims: 17-22

A multilayer torque cable with two segments; said two segments are wound with different tensions to increase flexibility at a certain region

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The present application cannot be considered as being unitary for the following reasons:

The document US6156046 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

A catheter (col. 3, l. 15-17; col. 4, l. 29-30), comprising:  
an elongate tubular member having a proximal region, a distal region, and a lumen extending therebetween (col. 3, l. 15-20; col. 4, l. 29-30; col. 8, l. 15-19; Fig. 4: a catheter with a lumen);  
a multilayer torque cable in the proximal region of the elongate tubular member (col. 3, l. 15-19; col. 8, l. 43-col.9, l.8: torque member= torque cable; proximal part of the torque member made of more than one coil), the multilayer torque cable having a first helical coil and a second helical coil, the first helical coil nested within the second helical coil and wound in a reverse direction from the second helical coil so that rotation of the first helical coil in a first direction causes the first helical coil to expand while rotation of the second helical coil in the first direction causes the second helical coil to compress and thereby interfere with the expansion of the first helical coil (Fig. 4; col. 8, l. 50-col. 9, l. 8; col. 9, l. 37-col. 10, l. 23);  
a monolayer helical coil in the distal region of the elongate tubular member (Fig. 4; col. 11, l. 38-50: "... middle and outer coil are peeled or cut back ...", therefore distal portion comprises only the inner coil); and  
an outer jacket surrounding the monolayer helical coil to restrict expansion on rotation of the monolayer helical coil (col. 8, l. 31-48: torque member is within an elongate tube).

Over this prior art the potential special technical features (in the



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

meaning of Rule 30 EPC) claimed in the application are:

I: Claim 3: The monolayer coil is annealed to prevent unwinding expansion on torquing the catheter

II: Claim 9: Outer jacket surrounding the torque cable with an annular gap disposed between the torque cable and the outer jacket, the annular gap allowing the torque cable to rotate independently of the outer jacket for at least a portion of the length of the outer jacket

III: Claim 17: The second helical coil being wound around the first helical coil under higher tension in the first axial segment, the second helical coil being wound around the first helical coil under lower tension in the second axial segment, the second axial segment having a higher flexibility as compared with the first axial segment

Starting from the device in US6156046, the problems may be regarded as follows:

I: Claim 3 solves the problem to stabilise the shape of the winded coils

II: Claim 9 solves the problem to minimise frictional counter-torque of the catheter

III: Claim 17 solves the problem to increase flexibility at the distal tip section

In conclusion, the groups of claims are not linked by common or corresponding special technical features and define three different aspects not linked by a single general inventive concept. Therefore the technical relationship required by Rule 30 is lacking, and the requirement for unity of invention referred to in Article 82 EPC is not fulfilled.

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 07 02 3966

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

11-02-2008

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 6156046	A	05-12-2000	NONE		
US 4951677	A	28-08-1990	NONE		
WO 9856448	A	17-12-1998	AU	8063598 A	30-12-1998
US 5700253	A	23-12-1997	US	5380304 A	10-01-1995



## **ABSTRACT / ZUSAMMENFASSUNG / ABRÉGÉ**

**07023966.0**

A catheter (10) comprising an elongate tubular member having a proximal end and a distal end, and a delectable tip (11) at the distal end of the elongate tubular member. The delectable tip comprises a first helical coil (15) having a first diameter and a second helical coil (14) having a second diameter, the first diameter being larger than the second diameter. The first and second helical coils are arranged in a manner of a double helix. When viewed in cross-section, the first helical coil and the second helical coil are aligned at a first point on a circumference of each coil and misaligned at a second point on the circumference of each coil, where the second point is approximately 180 degrees from the first point. In certain embodiments the catheter further includes a dilatation balloon (81).